GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – PR&RD – Allegation of failure to update the service particulars and also calling for the service register of Sri D. Ravi Kumar, AEE from the concerned authorities while claiming the first salary and continuing the service of Sri D. Ravi Kumar, the then AEE., beyond the actual date of retirement –Disciplinary proceedings against Sri R. Venkata Kaladhar Rao, the then Sr.Asst. O/o EE, PRI Sub-Division, Udayagiri, SPSR Nellore District under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991- Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.RT.No. 386 **Dated: 15-07-2021.**

Read the following:

1. Final report from Director General, ACB., Vijayawada RC.No.144/RCT-NNL/2016, Dt:22-5-2019.
2. From Director General, ACB., Vijayawada RC.No.144/RCTNNL/ 2016, Dt:24-6-2021.

-:0:-

O R D E R:

It is proposed to hold an enquiry against Sri R. Venkata Kaladhar Rao, the then Senior Assistant O/o EE, PRI Sub-Division, Udayagiri, SPSR Nellore District in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I and II). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri R. Venkata Kaladhar Rao, the then Senior Assistant O/o EE, PRI Sub-Division, Udayagiri, SPSR Nellore District, is directed to submit his written statement of defence within (10) days of the receipt of this order.

4. Sri R. Venkata Kaladhar Rao, the then Senior Assistant O/o EE, PRI Sub-Division, Udayagiri, SPSR Nellore District, is informed that an enquiry will be held only in respect those article of charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri R. Venkata Kaladhar Rao, the then Senior Assistant O/o EE, PRI Sub-Division, Udayagiri, SPSR Nellore District, is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte, based on the material available on record.

6. Sri R. Venkata Kaladhar Rao, the then Senior Assistant O/o EE, PRI Sub-Division, Udayagiri, SPSR Nellore District, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri R. Venkata Kaladhar Rao, the then Senior Assistant O/o EE, PRI Sub-Division, Udayagiri, SPSR Nellore District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(Contd.P.2)

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri R. Venkata Kaladhar Rao, the then Senior Assistant
O/o EE, PRI Sub- Division, Udayagiri, SPSR Nellore District
(through the Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada.
The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada
(in duplicate with a request to serve and return the dated acknowledgement copy)
Copy to:
The Director General, ACB, Vijayawada
(w.r.t Rc.No.144/RCT-NNL/2016,Dt:24-6-2021)
The Secretary to VC, APVC, Secretariat Buildings, Valagapudi.
SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI REVURU VENKATA KALADHAR RAO S/O LATE SESHAGIRI RAO, THE THEN SENIOR ASSISTANT, O/o MPDO, UDAYAGIRI, SPSR NELLORE DISTRICT.

That Sri Revuru Venkata Kaladhar Rao, S/o. Late Seshagiri Rao, 57 years is a native of Kavali town. His date of birth is 29-01-1962 and joined in Government Service as Jr.Asst., ZPHS, Chowtapalem Village of Jaladanki Mandal on 10-11-1990 and got promotion as Sr. Assistant on 13-08-2003 posted at MPDO Office, Bogole Mandal and worked as Sr.Asst., O/o.EE, PRI, Sub-Division, Udayagiri from 01-06-2010 and promoted as EO(PR&RD) on 21.12.2015 and he is presently working at O/o MPDO, Udayagiri Mandal. He is drawing basic pay of Rs.46,060-00 under the pay scale of Rs.28,940/- to Rs.78,910/-. He is due to retire on attaining his superannuation on 31-01-2022, while functioning in the above capacities i.e., 01.06.2010 to 21.07.2011 he has committed grave misconduct in as much as:

CHARGE:

The Government Servant while working as Senior Assistant O/o E.E, PRI Sub Division, Udayagiri from 1.6.2010 to 21.7.2011 failed to update the service particulars and also calling for the service register of Sri Durgam Ravi Kumar, AEE from the concerned authorities while claiming the frst salary of Sri Durgam Ravi Kumar, AEE in PRI, Sub-division, Udayagiri.

Thus Sri Revuru Venkata Kaladhar Rao, Sr.Asst. (Presently working as EO (PR & RD) by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government Servant and conduct unbecoming of a Government Servant and thereby contravened Rule 3 (1)(2) of APCS (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST SRI REVURU VENKATA KALADHARA RAO S/O LATE SESHAGIRI RAO THE THEN SENIOR ASSISTANT(PRESENTLY WORKING AS EO(PR&RD), O/O MPDO OFFICE,UDAYAGIRI, SPSR NELLORE DISTRICT

That Sri Revuru Venkata Kaladhar Rao S/o Late Seshagiri Rao, 57 years is a native of Kavali town. His date of birth is 29-01-1962 and joined in Government Service as Jr.Asst. ZPHS, Chowtapalem Village of Jaladanki Mandal on 10-11-1990 and got promotion as Sr.Assistant on 13-08-2003 posted at MPDO Office, Bogole Mandal and worked as Sr.Asst., O/o EE, PRI, Sub-Division, Udayagiri from 01-06-2010 and promoted as EO(PR&RD) on 21-12-2015 and presently working at O/o MPDO, Udayagiri Mandal. He is drawing basic pay of Rs.46,060-00 under the pay scale of Rs.28,940- 78,910. He is due to retire on attaining his superannuation on 31-01-2022. He is here in after referred to as Government Servant.

CHARGE:

The Government Servant while working as Senior Assistant O/o.EE, PRI Sub Division, Udayagiri from 1.6.2010 to 21.7.2011 failed to update the service particulars and also calling for the service register of Sri Durgam Ravi Kumar, AEE from the concerned authorities while claiming the first salary of Sri Durgam Ravi Kumar, AEE in PRI, Sub-division, Udayagiri.

Facts and Evidence :

Brief facts of the case are that the Government Servant was trapped on 28.11.2016 in his office when he demanded and accepted bribe of Rs.55,000/- from Sri Lekkala Pedda Mala Konda Reddy for recording measurements of CC road works in M.Book.

During the course of investigation the investigating officer obtained service particulars of the Government Servant and on perusal of service particulars, it was found that the Government Servant was born on 16.07.1955 and had to retire from service on 31.07.2013. After obtaining the service particulars of Sri Durgam Ravi Kumar, AEE it was found that the said AEE had drawn salaries in spite of his actual date of superannuation in collusion with the Department Employees. The Government Servant worked as Sr.Asst of the O/o EE, PRI Sub-Division, Udayagiri. As per his duty chart he is responsible for periodical maintenance of the register and Increment register of Sri Durgam Ravi Kumar, AEE The Government Servant while preparing the bills and also giving increment to the AE concerned he has to obtain the service register and also to verify the service register for giving year wise increments. In this case the Government Servant without getting the service register from the concerned authorities have drawn the salary without looking the relevant data of the retirement of the S.O-1and also failed to make any correspondence with the higher officers to get the service register of the AEE, the acts of the Government Servant is contrary to the rules as he has withdrawn the salary and exhibited negligence in discharging his official duties and also caused pecuniary loss to Government Exchequer.

The Government Servant by his above mentioned acts exhibited lack of integrity, devotion towards duty and conduct unbecoming of a Government Servant and thereby violated Rule 3 (1)(2) of APCS (Conduct) Rules, 1964.

Thus, the Government Servant thereby rendered himself liable for departmental action for major penalty.

GOPAL KRISHNA DWIVEDI
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SECTION OFFICER

ANNEXURE-III

LIST OF WITNESSES

1. Sri LekkalaPeddaMalakonda Reddy, s/o Late. Konda Reddy, aged; 54 yrs, Occ; Sarpanch, Bairavaram Panchayat, Duthalur Mandal, SPSR Nellore District.

He is the complainant who lodged the report against Sri Durgam Ravi Kumar, AEE, who demanded the bribe amount and set the criminal law into motion in this case and speaks about case facts, demand, acceptance and official favour.

2. Sri S.Raja Sekhar, Town Planning Officer, O/o Commissioner, Kavali Municipality, Kavali, SPSR Nellore District.

He is one of the mediator in whose presence searches were conducted at the office of the EE, PR, Kavali on 27-12-2016 from 01-00 PM to 06-00 PM and drafted mediatornama.

3. Sri K.Venkata Koteswara Rao, Senior Assistant, O/o Commissioner, Kavali Municipality, Kavali, SPSR Nellore District.

He is one of the mediator in whose presence searches were conducted at the ofce of the EE.PR.Kavali on 27-12-2016 from 01- 00 PM to 06-00 PM and drafted mediatornama.

4. Sri D.Sudheer Babu, EE, PR Division, Kavali:

He speaks about his letter vide Rc.No.A.2/ACB/08, Dt.15.12.2016 who supplied the attested copy of the service register of Sri Durgam Ravi Kumar, AEE and also the service particulars of Sri Durgam Ravi Kumar, AEE.

5. Sri S.Damodar Reddy, SE, PR Division, Nellore.

He speaks about his letter vide Lr.Rc.No.EC3/6531/2016, Dt.26.04.2017 who forwarded the information with regards to the particulars of the officers who failed to inform the retirement particulars of Sri Durgam Ravi Kumar, AEE regarding the year 2013.

6. Sri CVS Ramurthy, Engineer in chief, PR Division, Vijayawada.

He speaks about his letters vide No.1) Vig.III/062016/2016/ACB, Dated.6.12.2016 and 2) Vig.III/2016/2016/ACB, Dated.9.08.2017 who furnished information informing that Sri Durgam Ravi Kumar, GO RT/307/2021/PRR01-Panchyat Raj and Rural Development File No.C.No.13332/Vig.II/2016 AEE has to retire in the year 2013 and also issued suspension order of Sri Durgam Ravi Kumar, AEE after the trap.

7. SHO, Kavali II Town PS:

He speaks about registering of the Cr.No.133/2016 of Kavali II Town PS and transferring the case to Duthalur P.S.

8. SHO, Duthaluru PS:

He speaks about receiving of the FIR in Cr.No.133/2016 of Kavali II town Ps., and re-registering the same as Cr.No.2/2017 of Duthalur PS.

9. Sri T.Prabhakar, Deputy Supdt., of Police, ACB, Nellore Range, Nellore:

He is one of the investigating ofcer who speaks about the facts relating to Cr.No.13/RCT-ACB-NLR/2016.

10. Sri N.SivaKumar Reddy, Inspector of Police, ACB, Nellore Range, Nellore.

He is one of the investigating ofcerwho speaks about the facts relating to Cr.No.13/RCT-ACB-NLR/2016.

11. Sri T.V.Srinivasa Rao, Inspector of Police, ACB, Nellore Range, Nellore.

He is one of the investigating ofcer who speaks about the facts relating to Cr.No.13/RCT-ACB-NLR/2016.

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PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-IV

LIST OF DOCUMENTS

1. Complaint dated 25-11-2016 given by the Complainant:

It reveals the facts of the demand of bribe amount Rs.55,000/- by Sri Durgam Ravi Kumar, AEE on 28.11.2016 for doing an official favour i.e., for recording the measurements of CC Road works in M-Book which is pending since two months.

2. FIR in Cr.No.13/RCT-ACB-NLR/2016, dated 28-11-2016:

It reveals that a report was received from the complainant with regard to demand of bribe amount and registration of the case against Sri Durgam Ravi Kumar, AEE.

3. Mediators report dated 27-12-2016 from 13-00 hours to 18-00 hours drafted at the office of the Executive Engineer, Panchayat Raj, Kavali town and Mandal, SPSR Nellore District.

4. Xerox copy of Service Book of Sri Durgam Ravi Kumar, AEE.

5. Letter of Executive Engineer, PRI Division, Kavali vide Rc.No.A2/ACB/08 (service particulars of Sri Durgam Ravi Kumar, AEE) dated 15-12-2016 .

6. Rc.No.,EC3/653/2016 dated 26-04-2017 of SE PR, Nellore: who furnished the list of S.O's concerned caused not retirement of Sri Durgam Ravi Kumar, AEE.

7. Copy of FIR in Cr.No.133/2016 u/s 420, 120-B IPC dated 30-12-2016 of Kavali II Town P.S, against Sri Durgam Ravi Kumar, AEE.

8. Copy of FIR in Cr.No. 2/2017 u/s 420, 120-B IPC dated 04-01-2017 of Duttalur P.S as FIR in Cr.No.133/2016 was transferred from Kavali II town PS to Duttalur P.S on point of Jurisdiction.

9. Proceedings No.Vig.III/062016/ 2016/ACB dated 06-12-2016 of Engineer-in-Chief, PR, Vijayawada- Suspension orders of Sri Durgam Ravi Kumar, AEE.

10. Proceedings No.Vig.III/2016/ 2016 dated 09-08-2017 of Engineer-in- Chief, R,Vijayawada– Orders of the Engineer-in-Chief, PR, Vijayawada in respect of Sri Durgam Ravi Kumar, AEE has to be retired on 31-07-2013.

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